

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN LEE OLSON,

Defendant.

Case No. 3:17-cr-26

**UNITED STATES' SENTENCING
BRIEF**

The United States of America, by Keith W. Reisenauer, First Assistant United States Attorney for the District of North Dakota, and Nicholas W. Chase, Assistant United States Attorney, hereby argues for a sentencing at the top end of the sentencing guideline range, as calculated in the Pretrial Services Investigative Report. The United States urges the Court to reject Kevin Olson's suggestion to not take seriously his conduct in this case and assume he would never do something violent or drastic. As argued below, Kevin Olson has been, and continues to be, a danger to society. To this day, Olson is unrepentant and believes that the only victim in this case is Kevin Olson. For those reasons, this Court should not give credit for "acceptance of responsibility" and instead sentence Kevin Olson to a sentence of sixteen months to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment. Only a sentence of this magnitude has the chance to deter Kevin Olson from committing similar acts of terrorizing people who execute their duties in a way that offends Kevin Olson.

I. KEVIN OLSON'S THREAT TO KILL SENATOR HEITKAMP WAS NOT ONE-TIME UNCHARACTERISTIC BEHAVIOR; RATHER, KEVIN OLSON SEEKS CONFLICT AND INTIMIDATION AS HIS "GO TO" MEANS OF DEALING WITH CONFLICT.

During the investigation and prosecution of this case, it became obvious that Kevin Olson really threatened Senator Heitkamp NOT ONCE, but twice. From Kevin Olson's own writings, we know that he believes that the Bill of Rights provides the unlimited right, specifically including the use of violence, to "alter," "abolish," and "throw off" a federal government that is violating his rights. We also know that Kevin Olson believes that all three branches of the federal government have violated and continue to violate his rights. With that in mind, Kevin Olson's earlier, October 22, 2016, email makes perfect sense that he intended a threat. Specifically, that email ended with:

"As my life and rights mean nothing to you so to yours mean nothing to me!! I would encourage you to read our Declaration of Independence and our Constitution.

I'm coming for you!!

Now what will you hide behind??

disrespectfully,

kevin l olson"

At the time of his arrest, following his December 22, 2016, email, Kevin Olson told law enforcement that what he meant by "I'm coming for you!!" was that he added her in his civil lawsuit. Cross-examination of Olson and several documents from his filings in his lawsuit readily showed that Kevin Olson had never sued Senator Heitkamp and Kevin Olson knew that. Of course, Kevin Olson lied to law enforcement that day because he

knew he had threatened Senator Heitkamp more than once and wanted to limit the trouble he had created.

In addition to the two threats to kill Senator Heitkamp, Olson has also engaged in many other acts of intimidation and retribution. Those include, but certainly are not limited to, the following:

1. Magistrate Judge Senechal. From testimony and documents, we know that Kevin Olson was not satisfied with how long Magistrate Judge Senechal was taking with his civil lawsuit. At the time of his arrest, law enforcement discovered a poster Kevin Olson had created that read that Judge Senechal had taken too long with his case and “its time to act,” then further explaining himself that he “WILL BE EVALUATING OPPORTUNITIES TO ALTER ABOLISH AND/OR THROW OFF THE US FEDERAL ESTABLISHMENT AND THIS PLACE AND THOSE WHO SUPPORT AND DEFEND IT!!!!”
2. Kevin Olson’s first attorney, Assistant Public Defender Christopher Lancaster, displeased Olson. Lancaster is no engineer, but he is a very good lawyer with an unblemished reputation in the bar. Yet, Lancaster did not perform the legal representation that Olson believed he should. So, Olson filed a motion to have Lancaster disbarred and included pages purporting to be from Lancaster’s Facebook page that Olson had researched. This was not the first time Olson went after a lawyer. Years earlier, Kevin Olson’s brother was badly injured. After taking his brother to the Mayo Clinic, Kevin Olson presented his brother with a bill for expenses. When his brother did not pay the bill, Kevin Olson sued him, got a judgment and levied upon his brother’s boat. When an attorney agreed to help his brother, Kevin Olson sought criminal and licensing retribution against his brother’s attorney.
3. Judge Ralph Erickson. The original judge in this case did not do what Kevin Olson wanted him to, so Kevin Olson accused Judge Erickson of being prejudiced against Olson. In filings in this court and in the Eighth Circuit Court of Appeals, Olson referred to Judge Erickson as the katholic krist king and stated that Judge Erickson’s religion represented the third 6 of 666.

4. When Kevin Olson complained to U.S. Senator Hoeven's office, Olson accused the female staff member of "whoring" for Senator Hoeven and that Senator Hoeven was her "pimp."
5. Olson sought criminal arrest and prosecution of every member of Congress who voted for the Affordable Care Act/Obamacare.
6. Olson stated that he filed a complaint against Special Agent Anyaso.

These and other actions make clear that the conduct at issue in this case is who Kevin Olson is. In fact, well before Kevin Olson's arrest in this case, one of his brothers contacted the F.B.I. and warned them that Kevin Olson could do something like the Las Vegas massacre.

Officer Abel's testimony also painted a chilling picture of what Kevin Olson is capable. Within an hour after Kevin Olson first heard from the U.S. Capitol Police, Olson met the Fargo police officers at his door wearing what the police officers believed was a firearm in his waistband and presenting a card stating the federal authorities had no authority over him. Kevin Olson was prepared that day for some type of confrontation and, fortunately, it was a city police officer and not a federal agent who came to his doorstep.

II. KEVIN OLSON HAS NOT ACCEPTED RESPONSIBILITY

A. Olson Is Not Sorry He Threatened To Kill Senator Heitkamp.

At many points in Olson's sentencing brief there are statements to the effect that he is sorry for the "words" or "language" he used in his email to Senator Heitkamp. Importantly, Olson never does and never could articulate why what he did was criminal and wrong. Moreover, in Olson's various (Copyrighted) writings at the time Olson cut

his own arms, Olson still sees himself as the victim in this case and sees everyone else as the bullies and the tormentors.

B. There is Nothing Principled About Olson's Civil Lawsuit or Stated Beliefs Leading to His Threat to Kill Senator Heitkamp.

Olson's civil lawsuit (kevin l. olson v. SSA and DOT; et al., filed in United States District Court, District of North Dakota, File No. 3:16-cv-00093), is composed of thousands and thousands of pages of angry and nonsensical statements. For instance in a pleading entitled 1ST ARGUMENTS COLLECTIVE EXPLANATORY (1ST ACE) FOR PLAINTIFF'S CASE. . . (found at DCD 21-1), Olson's statements include:

“If I were a woman I could go out, pick-up any man I could . . . take them home spread my legs and let them fill me up with their hot steamy load, didn't a president shoot a hot steamy load on a blue dress in the oval office, and it wasn't his wife's, and the demo-rats in the Senate protected him. In all my irresponsibility, should I become pregnant I can go have the result of my irresponsibility, a new life, legally scrapped out of me, hell today if I'm not too damn hungover I can go pop a few Morning Of Pills to mop it out and put myself back on the Map Of Misfeasance no longer a MOM, maybe misfeasance is too harsh because mopping out the unborn is a planned parenthood's factory assembly line super service in our Republic! And no one's the wiser!” Planned Parenthood even sells the leftovers! It's all legal!!

Id. at 27.

It is time and this is the case to start providing some Relief to me for the demo-rats, and their puppets play, the DOJ and FBI et al for CRUCIFYING me!

Id. at 28.

Can the Federal Government apply a specific religious islamic socio-economic zakat tax to me if I don't want to participate in the Federal Government's welfare of other individual citizens? It's not about healthcare it's about social-welfare! See 1ST MOP & EXHIBIT 26 Zakat. Interesting to note the percentages of the zakat are aligned with obama's care! The quran in the Cow at 2.43 defines zakat simply as ('pay the due share of your wealth for the welfare of others') looks just like (“make a payment on your federal income tax return called the ‘shared

responsibility payment. ”) Plagiarism? Plagiarized by obama who knew what it was from his childhood in islamic Indonesia, under the rule of his sunni stepfather, by the way ISIS et al are sunni!

Id. at 33-34. In other words, Kevin Olson’s sentencing brief that describes his lawsuit as showing that “Kevin has strong faith-based beliefs and refuses to maintain health care coverage based on his beliefs” is contradicted by the lawsuit itself. The lawsuit represents a collection of angry, nonsensical rants laced with sexual erotica.

Kevin Olson wants the Court and the rest of us to believe he is opposed to medical intervention because he puts himself in God’s hands. Kevin Olson dramatically showed the jury a necklace in which Kevin states that he disavows all medical treatment unless he authorizes it. Yet, when he cut himself following the guilty verdict, he was taken to the hospital and provided with life-saving medical care. Presumably, the bill for that care is substantial and unpaid by Olson. That unpaid bill likely will serve as another factor in the high price of health care for everyone else.

Finally, Olson’s sentencing brief references that his frustration stemmed from being forced to vote in a church. The testimony at trial was that three of the four polling places in Olson’s legislative districts were churches and Olson was the only person who complained. Moreover, it is impossible to imagine the tenets of any religion would forbid someone from going inside a religious building for any reason, and at the same time, allow: (1) threatening to kill someone at least twice; (2) calling a Senate staffer a “whore” who has a “pimp;” (3) lying; and (4) writing erotica and angry accusations as part of your federal lawsuit.

Kevin Olson's justifications for his crime are hollow. There are no justification for threatening to kill someone. Olson feels justified for what he did and victimized by everyone involved in this case. He remains a very dangerous person, who deserves a sentence at the top end of the guideline range to deter future crime, to protect the public, and as a minimally adequate sentence to represent the seriousness of his crime.

Dated: May 11, 2018

KEITH W. REISENAUER
First Assistant United States Attorney

By: /s/ Nicholas W. Chase
NICHOLAS W. CHASE
Assistant United States Attorney
Quentin N. Burdick United States Courthouse
655 First Avenue North - Suite 250
Fargo, ND 58102-4932
(701) 297-7400
ND Bar Board ID No. 05361
Nick.Chase@usdoj.gov
Attorney for United States